

Application No. 09/546,857  
Amdt. dated November 22, 2004  
Reply to Office Action of July 22, 2004

### **REMARKS**

Applicants respectfully request entry of the Amendment and reconsideration of the claims. Claims 20-23 and 25-56 have been canceled. Claims 57-92 are newly presented. New claims 57-60 correspond to canceled claims 20-23. New claims 61-92 correspond to canceled claims 25-56. After entry of the Amendment, claims 57-92 will be pending.

Applicants submit the Amendment raises no issues of new matter and is supported throughout the specification, including for example, at page 10, lines 16-19, at page 12, line 28, at page 16, lines 10-11, Table 3 at page 43, and Figure 1.

### **Written Description**

Claims 20-23 and 25-26 were rejected under 35 U.S.C. § 112, first paragraph, as containing new matter, thus failing to comply with written description. Claims 20-23 and 25-56 have been canceled and claims 57-92 have been added. The new claims are directed to variants of human VEGF, and delete the "at residues corresponding to" language asserted to be new matter. Accordingly, Applicants respectfully request withdrawal of the new matter rejection.

Applicants do not acquiesce to the new matter rejection and reserve the right to pursue the canceled subject matter in a continuation application.

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**Conclusion**

In light of the forgoing Amendment and Remarks, Applicants' assert the claims are in condition for allowance. Early notice of allowable claims is requested. The Examiner is invited to telephone the undersigned attorney for clarification of any of these Remarks or Amendments, or to otherwise speed prosecution of this case.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

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Denise M. Kettelberger  
Denise M. Kettelberger, Ph.D.  
Reg. No. 33,924  
DMK:EED:lek

